



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/126,071	07/30/98	BARTON	J TIV00003

022862
GLENN PATENT GROUP
3475 EDISON WAY
SUITE L
MENLO PARK CA 94025

WM02/1122

EXAMINER

TRAN, T

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 11/22/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.
09/126,071

Applicant,

Barton et al

Examiner

Thai Tran

Group Art Unit
2615



- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

- ☒ Claim(s) 1-61 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 31 and 61 is/are allowed.
- ☒ Claim(s) 1-30 and 32-60 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2, 3 + 5
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-30 and 32-60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1,

line 8, the term "said input section" should be changed to --said Input Section-- for proper antecedent basis; and

line 15, the term "a storage device" should be changed to --said storage device-- for proper antecedent basis.

In claim 21,

first line, the term "a storage device" should be changed to --said storage device-- for proper antecedent basis.

In claim 25,

lines 1-2, the term "said disk" lacks proper antecedent basis.

In claim 30,

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line 2, the term "said input section" should be changed to --said Input Section-- for proper antecedent basis; and

lines 4-5, the term "said input section" should be changed to --said Input Section-- for proper antecedent basis.

In claim 32,

line 8, the term "said input section" should be changed to --said Input Section-- for proper antecedent basis; and

line 15, the term "a storage device" should be changed to --said storage device-- for proper antecedent basis.

In claim 52,

first line, the term "a storage device" should be changed to --said storage device-- for proper antecedent basis.

In claim 55,

line 2, the term "said disk" lacks proper antecedent basis.

In claim 60,

line 2, the term "said input section" should be changed to --said Input Section-- for proper antecedent basis; and

lines 4-5, the term "said input section" should be changed to --said Input Section-- for proper antecedent basis.

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Allowable Subject Matter

3. Claims 1-30 and 32-60 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 1-30 and 32-60 are considered allowable over the prior art since none of the references of record alone or in combination disclose or suggest a method/apparatus for the simultaneous storage and play back of multimedia data having a module for accepting television (TV) broadcast signals, wherein the TV signals are based on a multitude of standards, including, but not limited to, National Television Standards Committee (NTSC) broadcast, PAL broadcast, satellite transmission, DSS, DBS, or ATSC; a module for tuning the TV signals to a specific program; at least one Input Section, wherein the Input Section converts the specific program to an Moving Picture Experts Group (MPEG) formatted stream for internal transfer and manipulation; a Media Switch, wherein the Media Switch parses the MPEG stream, the MPEG stream is separated into its video and audio components; a module for storing the video and audio components on a storage device; at least one Output Section, wherein the Output Section extracts the video and audio components from the storage device; wherein the Output Section sends the MPEG stream to a decoder; wherein the decoder converts the MPEG stream into TV output signals; wherein the decoder delivers the TV output signals to a TV receiver; and accepting control commands from a user, wherein the control commands are sent through the system and affect the flow of the MPEG stream as recited in independent claims 1 and 32.

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4. Claims 31 and 61 are allowed.

Claims 31 and 61 are considered allowable over the prior art since none of the references of record alone or in combination disclose or suggest a method/apparatus for the simultaneous storage and play back of multimedia data having a physical data source, wherein the physical data source accepts broadcast data from an input device, parses video and audio data from the broadcast data, and temporarily stores the video and audio data; a source object, wherein the source object extracts video and audio data from the physical data source; a transform object, wherein the transform object stores and retrieves data streams onto a storage device; wherein the source object obtains a buffer from the transform object, the source object converts video data into data streams and fills the buffer with the streams; wherein the source object is automatically flow controlled by the transform object; a sink object, wherein the sink object obtains data stream buffers from the transform object and outputs the streams to video and audio decoder; wherein the decoder converts the streams into display signals and sends the signals to a display; wherein the sink object is automatically flow controlled by the transform object; a control object, wherein the control object receives commands from a user, the commands control the flow of the broadcast data through the system; and wherein the control object sends flow command events to the source, transform, and sink objects as recited in independent claims 31 and 61.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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or faxed to:

(703) 308-6306 or (703) 308-6296, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


TIAI TRAN
PRIMARY EXAMINER

TTQ

November 16, 2000